

## Message Text

CONFIDENTIAL

PAGE 01 PORT O 02192 131210Z

44

ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 AID-20 CEQ-02

COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04 SCI-06

FEAE-00 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 CIEP-03 CEA-02 TRSE-00 OIC-04 DRC-01

/295 W

----- 002392

R 131138Z SEP 74

FM AMEMBASSY PORT OF SPAIN

TO SECSTATE WASHDC 6871

INFO AMEMBASSY CARACAS

AMEMBASSY BRIDGETOWN

AMEMBASSY KINGSTON

AMEMBASSY GEORGETOWN

C O N F I D E N T I A L PORT OF SPAIN 2192

E.O. 11652: GDS

TAGS: PLOS, TD, US

SUBJECT: GOTT REACTION TO PROPOSED INTERIM LOS LEGISLATION  
AND COMMENT ON CARACAS CONFERENCE

REF: STATE 193106

1. DURING A GENERAL REVIEW OF CARACAS SESSION OF LOS CONFERENCE,  
THE CHAIRMAN OF GOTT DELEGATION TO CONFERENCE (EXTERNAL AFFAIRS  
LEGAL ADVISER LENNOX BALLAH) TOLD EMBASSY OFFICERS THAT HE BELIEVED  
ANY INTERIM ACTION BY US ON DEVELOPMENT OF DEEP SEA MINERAL  
RESOURCES WOULD SERIOUSLY COMPROMISE CREDIBILITY OF US NEGOTIATORS  
AND COULD BRING ABOUT COLLAPSE OF CONFERENCE. BALLAH, WHO WAS  
WELL-INFORMED ON CONTENT AND STATUS OF PENDING US LEGISLATION,  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PORT O 02192 131210Z

DID NOT THINK THAT REACTION TO INTERIM US ACTION ON 200 MILE

FISHERIES ISSUE WOULD BE AS SIGNIFICANT, SINCE SUCH ACTION WOULD BE GENERALLY CONSONANT WITH EMERGING TREND AT CONFERENCE.

2. IN MORE GENERAL TERMS, BALLAH SAID THAT HE THOUGH CONFERENCE WOULD REQUIRE AT LEAST TWO OR THREE MORE SESSIONS BEFORE IT COULD HOPE TO ARRIVE AT GENERAL AGREEMENT. CARACAS MEETING HAD, HE SAID, ONLY SET STAGE FOR BEGINNING OF REAL NEGOTIATIONS ON MAJOR ISSUES, ALTHOUGH AT LEAST COMMITTEE II HAD SUCCEEDED IN REDUCING ALTERNATIVE CONCEPTS TO WRITING ON MAJOR ISSUES OF TERRITORIAL SEA AND THE ECONOMIC ZONE SO THAT THESE PROVIDED MATERIAL FOR REAL BARGAINING TO COME.

3. BALLAH SINGLED OUT THE REGIME OF THE DEEP SEABED AS ISSUE ON WHICH CONFEREES WERE FARTHEST FROM AGREEMENT. IT WAS IN THIS CONTEXT THAT HE FELT ANY US UNILATERAL LEGISLATION REGARDING LICENSING OF MANGANESE NODULE EXPLOITATION WOULD BE DEVASTATING. HE ARGUED THAT USG COULD AFFORD TO COMPROMISE SOMEWHAT ITS PRESENT STAND AGAINST A SEABED AUTHORITY MANDATE TO ENTER INTO JOINT-VENTURE TYPE ARRANGEMENTS FOR SEABED EXPLOITATION. OF POSSIBLE INTEREST IN THIS CONNECTION, HOWEVER, WAS HIS FIRM STATEMENT THAT THE NONALIGNED COASTAL STATES WERE NOT ABOUT TO ACCEPT THE SOVIET ARGUMENT THAT THE AUTHORITY BE ALLOWED ONLY TO ENTER INTO AGREEMENTS WITH STATES AS ENTITIES. HE FELT THAT RIGHT OF CORPORATIONS TO BE TREATED AS CONTRACTING PERSONS TO ENTER INTO JOINT VENTURE ARRANGEMENTS WITH THE AUTHORITY WOULD BE PRESERVED IN ANY LOS AGREEMENT NEGOTIATED.

4. COMMENT: BALLAH DID NOT SEEM TO BE VERY CONCERNED ABOUT NEGOTIATING FUTURE OF OTHER ASPECTS OF LOS TREATY OUTSIDE DEEP SEABEDS ISSUE. EFFORT BY DCM TO TURN CONVERSATION TO DISCUSSION OF SCIENTIFIC RESEARCH ISSUE DID NOT EVOKE ANY RESPONSE. BALLAH WAS DEFINITELY MORE PESSIMISTIC ABOUT PROSPECT OF EARLY TREATY COMPLETION THAT HAD BEEN THE CASE BEFORE THE CARACAS MEETING. HOWEVER, HE DID FEEL THAT CARACAS HAD BEGUN ESSENTIAL PROCESS OF REDUCING RHETORIC TO CONCRETE PROPOSALS AND TO THAT EXTENT HAD MOVED ISSUE BEYOND WHAT HAD BEEN POSSIBLE IN UN SEABEDS COMMITTEE. HE FELT, HOWEVER, THAT DIFFERENT RULES OF PROCEDURE SHOULD BE ADOPTED FOR GENEVA SESSION OF CONFERENCE IF IT IS TO AVOID STERILE REPETITIONS OF COUNTRY POSITIONS WHICH COST SO MUCH TIME AT CARACAS. BALLAH WAS WARM IN HIS  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PORT O 02192 131210Z

PRAISE OF USG NEGOTIATING TEAM.  
MILLER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, LAW, SEABED, MEETINGS, GOVERNMENT REACTIONS, FOREIGN POLICY POSITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 SEP 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** kelleyw0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974PORTO02192  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D740256-0563  
**From:** PORT OF SPAIN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740947/aaaaboam.tel  
**Line Count:** 109  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION DLOS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 193106  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** kelleyw0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 19 JUN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <19 JUN 2002 by boyleja>; APPROVED <19 MAR 2003 by kelleyw0>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOTT REACTION TO PROPOSED INTERIM LOS LEGISLATION AND COMMENT ON CARACAS CONFERENCE  
**TAGS:** PLOS, TD, US, (BALLAH, LENNOX)  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005